

REMARKS

At the time of the Office Action dated January 10, 2006, claims 2-6, 8-14 and 16-18 were pending. Applicants acknowledge, with appreciation, the Examiner's allowance of claim 14.

In this Amendment, claims 11, 12 and 14 have been amended, and claims 2-6, 8-10, 13, and 16-18 have been canceled. Care has been exercised to avoid the introduction of new matter. Specifically, allowed claim 14 has been amended to delete the recitation "having at least one of functions of an optical isolator, an optical circulator and a mode converter, the optical functional device" from its preamble. Claims 11 and 12 have been amended to be dependent on claim 14.

Applicants note that the deletion of that recitation from claim 14 does not generate any new matter issue or any new issue for that matter since Applicants believe that the deleted recitation does not have any significant weight for patentability of claim 14. The change of the dependency of claims 11 and 12 does not generate any new matter issue or any new issue for that matter, either. Claims 11 and 12 originally depend on claim 10, and claim 10 could have been amended to include the limitations recited in claim 14 which was indicated to be allowable in the Office Action dated August 1, 2005.

It is also noted that the rejection of claims 2-6, 8-10, 13 and 16-18 under 35 U.S.C. §§102(b), 102(e) and 103(a) have been rendered moot by cancellation of those claims.

Applicants submit that by the present Amendment and Remarks, this application is placed in clear condition for immediate allowance. At the least, the present Amendment eliminates the issues, the rejection of the claims under 35 U.S.C. §§102(b), 102(e) and 103(a), thereby placing the application in better condition for Appeal. Accordingly, entry of the present Amendment and Remarks, and favorable consideration, are respectfully solicited pursuant to the provisions of 37 C.F.R. §1.116.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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